

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JEFFREY SCHULKEN AND JENIFER
SCHULKEN, individually and on behalf of a
class of similarly situated individuals,

Plaintiffs-Appellees,

v.

WASHINGTON MUTUAL BANK and JP
MORGAN CHASE BANK, N.A.,

Defendants.

Case No.: 09-CV-02708-LHK

ORDER CONTINUING HEARING

Before the Court is Plaintiffs-Appellees Jeffrey Schulken and Jenifer Schulken's ("Plaintiffs-Appellees") Motion for Contempt Against Objector Donald R. Earl ("Mr. Earl"). On October 6, 2014, this Court issued an order instructing Mr. Earl to post an appeal bond in the amount of \$5,000 within seven days. ECF No. 278; *see also* ECF No. 278-1 (clerk's proof of service by mail). On October 15, 2014, this Court received a \$5,000 personal check from Mr. Earl. *See* ECF No. 278, at 3. On October 28, 2014, the finance department of the U.S. District Court, Northern District of California contacted First Federal, Mr. Earl's bank, to confirm that Mr. Earl's personal check was valid. First Federal declined to release that information without authorization from Mr. Earl. The U.S. District Court finance department then contacted Mr. Earl to ask if he

1 would authorize First Federal to confirm the validity of his personal check. Mr. Earl declined to
2 give authorization.

3 Accordingly, the Court is awaiting verification that Mr. Earl has posted the appeal bond
4 pursuant to the Court's October 6, 2014 order. Therefore, the Court hereby CONTINUES the
5 hearing on Plaintiffs-Appellees' motion for contempt against Mr. Earl, currently set for October 30,
6 2014, to November 20, 2014, at 1:30 p.m.

7
8 **IT IS SO ORDERED.**

9 Dated: October 29, 2014


LUCY H. KOH
United States District Judge

United States District Court
For the Northern District of California